

**Laboratory Certification Standards Review Council
Meeting Minutes From 8/23/2001**

Attendance

Council Members: George Bowman, Debbie Cawley, Paul Junio (Vice Chair), David Kollakowsky (Chair), Marcia Kuehl and Ruth Klee Marx (Secretary)

DNR Staff: Diane Drinkman, Ian Klemm (Lab Cert. Intern), Phillip Spranger and David Webb

Others in Attendance: Paul Harris, Kurt Knuth, R. T. Krueger, Art Lautenbach, Carol Meilke and Randy Thater

Summary and Action Items

At this meeting the Certification Standards Review Council:

- Approved the previous meeting's minutes;
- Were updated on efforts to fill vacancies on the council;
- Were provided a quarterly update on the status of lab audits, open cases and the audit backlog;
- Were provided an update on upcoming presentations and training programs planned by DNR and/or State Laboratory of Hygiene;
- Discussed the timing and process for making revisions to NR 149;
- Reviewed new reference sample guidance produced by the Program's summer intern, Ian Klemm;
- Discussed various informational items, including, among others: PT samples and Xylene (PVOC) grading; recent guidance on total suspended solids methods, and the status of reciprocity agreements; and
- Tentatively scheduled the next Council meeting for November 15, 2001.

Agenda Items

I. Check in/Agenda Repair

A. Council members and guests were introduced. There were no suggested changes to the agenda.

II. Approval of February 15, 2001 Meeting Minutes

A. No corrections were made to the May 17, 2001 meeting minutes. Paul Junio made a motion to approve the draft minutes as presented, Debbie Cawley seconded and the minutes were approved unanimously by the members present (Ruth Klee Marx arrived after the vote).

III. Update on Council Vacancies

- A. David Webb reported that Mr. Randy Herwig has been nominated to represent small municipal wastewater treatment plants on the Council. The paperwork is with the Department of Administration and a decision is expected soon.
- B. There has been no progress finding a representative for the Agricultural Interests seat on the Council. Mr. Webb thought it possible that DNR's proposed rule NR 151 (a.k.a, the runoff rule), which requires that soil nutrient testing be conducted by NR 149 certified labs, might generate some interest from this sector.
- C. Dave Kollakowsky noted that there are only two organizations in the state eligible to provide a representative for the Solid and Hazardous Waste Disposal Facility seat. Solid and hazardous waste haulers are not eligible. Mr. Kollakowsky will make a few more calls to see if he can generate any interest.

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IV. Audit Status

- A. Mr. Webb reported that there has been good progress on lab audits. Auditors have been out doing on-site evaluations, reports are getting to labs in a timely fashion and many open cases have been resolved. The peer review process is working well and is now in place in the regions as well. There is still much work to be done, for example; SOPs, lab guidance and enforcement procedures.
- B. George Bowman inquired as to how long it is taking to get reports out with the new peer review process. The initial review is done in a couple of days and peer review has added less than a week to the report process.
- C. Mr. Webb noted that in Fiscal Year 2001, 117 regional labs were audited, with 45 of those on-sites occurring in the last quarter. For central office audited labs the timeline begins in April 2001 when Mr. Webb started. Lab audits were first assigned on April 23, 2001, and since then there have been 13 on-site evaluations, 11 reports and 3 closures. During the fourth quarter of FY 2001 nine audits were conducted. Mr. Webb's goal is to have one audit per month, per auditor.
- D. Mr. Kollakowsky asked how many auditors were in the central office program. Mr. Webb informed that there were four: Diane Drinkman, Rick Mealy, Greg Pils and Alfredo Sotomayor. Mr. Webb emphasized that each auditor also works on other tasks. As much as 40% of an auditor's time may be spent on other things. Ms. Drinkman stated that she spends 20% of her time on PT issues and NR 149 revisions. Mr. Webb noted for example that Mr. Pils drafts guidance and works on the program budget and laboratory fees.
- E. Marcia Kuehl asked about progress on open cases. Mr. Webb noted that that depends on the definition. There were approximately 30 open cases and all but seven are now closed. Of the seven open cases, two labs were seen but a report never produced, one facility was seen but needs to be re-audited and four were never seen. Hopefully, within four months the rest will be closed.
- F. Mr. Junio asked whether there had been a change in the audit report format, noting that WELA members had reviewed a recent audit report at its last meeting. Mr. Webb stated that he is trying to work towards a common format for all audit reports. The regional auditors use a template. A couple of central office auditors are using Mr. Webb's report format, which includes a cover letter, approval page and standardized deficiency structure. Mr. Webb wants to explicitly use the word deficiency and then provide applicable notes for addressing/correcting each deficiency. Clarity in communication is most important. For example, a section that lists numbered deficiencies followed by a section of correspondingly numbered recommendations addressing each deficiency. This is followed by a section on general laboratory practices (GLP) when appropriate.
- G. Mr. Junio stated that labs want to see chapter and verse related to deficiencies (e.g., site the NR 149 or method references for each deficiency). Mr. Webb would like to do this in the future but is waiting on code changes to formalize this. Ms. Kuehl noted that during a recent NELAC audit the auditors just cited code language without indicating which analyst, machine or log book the deficiency applied to. Without these details the code citations are not very useful.

V. Update on Upcoming Presentations and Training.

- A. Mr. Webb reported that there are five training sessions currently planned by DNR and Wisconsin State Laboratory of Hygiene staff in cooperation with the Wisconsin Rural Water Association. One covers phosphorous and ammonia testing in wastewater treatment plant labs and the other four cover chemical additions for water supply monitoring. The "chemical additions" sessions are targeted to small public water systems that add chlorine, fluoride and/or phosphate in the plant and then monitor for the chemicals "downstream." Facilities that perform these tests do not need to be certified under NR 149.
- B. Mr. Bowman discussed breakpoint chlorination, which is included in the water supply training, and noted that few attendees actually understand the issues. This is a major health concern because inadequate chlorination can lead to bacterial contamination and potentially deaths (e.g., e. coli deaths in Canada). During additional discussion some expressed concern that testing for water supply additions did not require NR 149 certification.

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- C. Paul Harris was concerned that Rural Water was only sending notices for these training sessions to their members. Mr. Bowman stated that it was not the State Lab's or DNRs intention to exclude anyone. Rural Water was provided with laboratory lists by DNR auditor Rick Mealy but they apparently have not been using the list. Mr. Webb felt this would be an easy fix by simply requiring broad notification of sessions.
- D. Another concern, expressed by Mr. Bowman, was that the State Lab needs financial support to continue its involvement in these training sessions. At the same time, the discussion indicated that many would like to see training opportunities expanded to other areas. Should training funding be built into the lab certification fee? Maybe a surcharge could be added to the annual fees. Mr. Webb thought a question regarding training could be added to the lab audit survey. For example: Areas of interest? Have you taken any training? Would you be willing to pay? Mr. Bowman advised wording such as "would you be willing to pay a modest fee," noting that the "magic number" for maximum participation seems to be \$40.

VI. DNR 149 Revision Strategy

- A. Mr. Webb informed that Diane Drinkman will take the lead on the NR 149 revision effort, but that it will be a team effort that includes central office and regional lab cert. staff. Ms. Drinkman reported that she met with the Program's legal council, who said that we can't do anything except discuss the formation of an advisory committee (AC) until the rule revision is pink sheeted (file a notice with the Natural Resources Board that the program is embarking on rule revisions). The pink sheet is scheduled to go to the Board in September. At that point we can officially start soliciting members for an AC. In addition to council members, potential members might include representatives of solid and hazardous waste disposal facilities, the department of agriculture trade and consumer protection, Municipal Environmental Group, Wisconsin Laboratory Association, Wisconsin Environmental Laboratory Association and data users.
- B. Internally, the Program needs to get our administrator's support and to look at inter/intra-agency coordination (e.g., related rule changes). Mr. Webb thought the Council's resolution to serve as the core of an AC should be included when soliciting potential members for the AC.
- C. Discussion followed that indicated some were wary to participate in what could be a very large AC. Also, the Council members already represent many of the interest groups mentioned (WLA, WELA, data users, etc.). Mr. Webb noted that DNR administrators may require an expanded membership.

VII. Overview of New Reference Sample Guidance

- A. Ian Klemm, the Program's summer intern was introduced. He has spent the summer working on a guide to Wisconsin reference sample requirements. The guide is intended as a plain English interpretation of the legal requirements for reference samples and should be available later this year.

VII. Other Business/Council Member Items

- A. *Paul Junio: PT Samples and Xylene (PVOC) Grading.* Mr. Junio noted that the State Lab has historically graded PVOC PT results based on total xylenes. But when he reported total xylenes on an ERA PT he got a fail for not reporting the individual xylenes species. This should not be a problem in the future because the regression grading will stay at total xylenes.
- B. *David Webb FYIs:* Mr. Webb updated the council on several cross program issues, for example; NR 454 (air program rule), NR 809 water supply chemical additions, the pending creation of NR 148 (the data reporting rule). He also reminded that the State Lab is no longer offering PTs for organic analytes.
- C. *Randy Thater, Waukesha Wastewater Treatment Plant, Comments on TSS Guidance Development:* Mr. Thater addressed the Council regarding the recently distributed guidance for determining the final weight of total suspended solids (TSS) samples. He was disappointed with not having an opportunity to comment on the guidance before it went out to labs. Mr. Webb noted that the guidance was put out to address an inconsistency within the Program. Mr. Harris thought the guidance was good practice, but felt that labs should have been required to cite the USGS method not the EPA method. There was discussion of whether it was okay to modify EPA methods and still report it as an EPA method.

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- D. *Paul Harris Requested an Update on Reciprocity Agreements:* Mr. Webb noted that Wisconsin has a lot of reciprocity agreements with other states and all are pretty old. The Program is currently in negotiations with Minnesota to revise that reciprocity agreement, but that there are some differences in the two programs that will need to be reconciled. The Program responded with a lot of comments on Minnesota's latest proposal. All of the other reciprocity agreements (with other states) should probably be looked at as well. There have been so many changes since these were first adopted.

Discussion included comments confirming that there are many differences in the various state programs. For example: South Carolina has told labs that there is no reciprocity agreement with Wisconsin; Minnesota wants a Minnesota auditor to audit for tests for us that Minnesota doesn't certify for. Minnesota doesn't allow SW 846 methods, which are acceptable in Wisconsin.

VIII. Future Meeting Dates

- A. The next Council meeting was tentatively scheduled for Thursday, November 15, 2001, time and location to be announced. Forward agenda items to David Kollakowsky (414/221-2835 or dave.kollakowsky@wepco.com) or Phillip Spranger (608/267-7633 or spranp@dnr.state.wi.us) for the consideration of the Council officers. Some ideas for agenda items for the next meeting were: training, reciprocity update and NR 149 revisions.
- B. A motion to adjourn was made by Ms. Marx, seconded by Ms. Kuehl and carried unanimously.